

VZCZCXYZ0003
PP RUEHWEB

DE RUEHUJA #2117/01 3281310
ZNR UUUUU ZZH (CCY ADDF835B MSI3932-695)
P 241310Z NOV 09 ZDS
FM AMEMBASSY ABUJA
TO RUEHC/SECSTATE WASHDC PRIORITY 7558
INFO RUEHOS/AMCONSUL LAGOS 2349
RUEHLO/AMEMBASSY LONDON 0625
RHMFISS/HQ USAFRICOM STUTTGART GE
RUEHZO/AFRICAN UNION COLLECTIVE
RUEHZK/ECOWAS COLLECTIVE
RHEHNSC/NSC WASHINGTON DC
RUEAIIA/CIA WASHINGTON DC
RUEKDIA/DIA WASHDC
RHMFISS/HQ USEUCOM VAIHINGEN GE

UNCLAS ABUJA 002117

SENSITIVE
SIPDIS

C O R R E C T E D COPY CAPTION ADDED

STATE FOR AF/FO, AF/W, AF/RSA, DRL, INR/AA, S/CIEA, AF/PDPA
DEPARTMENT PASS TO USAID FOR AFR/WA (DALZOUA)

E.O. 12958: N/A
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [PINS](#) [PTER](#) [KDEM](#) [NI](#)

SUBJECT: NIGERIA: BINATIONAL COMMISSION: GTI FOCUSED GROUP ON
ANTI-CORRUPTION GAME PLAN

REF: (A) ABUJA 2016
(B) ABUJA 2046
(C) ABUJA 2052

1. (SBU) Mission Nigeria has met several times over the last 12 months to review current and proposed initiatives to improve transparency, good governance, and fight corruption. Some of these measures could be captured under the proposed Binational Commission's Good Governance, Transparency and Integrity (GTI) Working Group and the proposed separate focus group on corruption. The Mission is providing game plans for each of the proposed BNC working groups and two proposed sub-working groups under GTI. Reftels contain Mission game plans for Energy and Investment, and Niger Delta and Regional Security Cooperation. Ref A on the Elections Action Plan will be recast under GTI once we receive final formal approval from Washington on BNC themes. We understand that BNC discussions remain ongoing in Washington, therefore these plans will be recast/readjusted accordingly pending final decisions on the BNC.
END SUMMARY

CURRENT USG ANTI-CORRUPTION INITIATIVES

2. (SBU) The Mission's current work plan seeks to provide a framework for systematic, strategic assistance to Nigeria to fight institutionalized corruption. The USG has actively engaged in various areas during the last 12 months to help the Nigerian Government (GON) build their capacity to fight corruption through improved prevention, detection, investigation, and prosecution. We have encouraged the GON to follow through on key prosecutions involving corrupt former officials, including governors. Illustrative examples of specific current assistance that we hope to build upon follow:

-- Arranged for U.S.-based law enforcement instructors (e.g., from the Federal Bureau of Investigation, Department of Homeland Security, Drug Enforcement Administration, Alcohol, Tobacco Firearms and Explosives Bureau) to train Nigerian police and legal personnel at a six-week Law Enforcement Executive Development (LEED) program. This program includes modules on ethics, combating white collar crime, and money laundering, etc.

--Organized a GON-interagency Database and Automated Record Working

Group to facilitate the ability of Nigerian law enforcement entities to share data across agencies in order to better investigate and prosecute financial crimes and corruption.

--Monitored efforts to introduce greater transparency in government at the state level, to deter payroll and tax fraud through the use of biometrics and electronic payments. Success in this project would demonstrate Nigerian capacity where political will exists and provide replicable methodologies for addressing areas susceptible to corruption.

--Arranged for nine Anti-Terrorism Assistance (ATA) training courses since 2007 in Critical Incident Management, Interdicting Terrorist Activities, Senior Crisis Management, ICE-Bulk Cash Smuggling Workshop, Terrorism Crime Scene Investigation, Airport Security Management, VIP Protection, VIP Protection Management, and Regional Fraudulent Documents.

--Trained officials of NFIU, SEC and CBN in Financial Forensics to detect fraud and corruption within Nigerian financial institutions. Qdetect fraud and corruption within Nigerian financial institutions.

-- Trained NDLEA commanders at ILEA on Drug Unit Commander Course to enhance their skill to detect collusion between their officers and traffickers.

--Installed body scanner x-ray machines and drug-explosive-detection itemizers at four international airports in Nigeria, and trained NDLEA officers on the use of the scanners and drug kits to interdict drug traffickers.

--Trained Economic and Financial Crimes Commission (EFCC) and the Nigerian Financial Intelligence Unit (NFIU) participants on more energetic investigations and prosecutions of corrupt officials.

--Worked with EFCC to go after delinquent businesses that have committed tax fraud.

--Worked with the Central Bank of Nigeria to support proposed banking regulation, and a draft manual on anti-money-laundering that will require banks to report large movements of cash between accounts by Politically Exposed Persons.

--Worked with National Assembly to pass Cybercrime Bill and enhance judges' understanding of electronic evidence in prosecuting cybercrimes.

--Trained police in community policing techniques.

--Assisted under USAID's Country Strategy program to build state capacity to have more transparency in state budgets with two focused states and local government level.

--Started discussions with Nigerian tax authorities (Federal Inland Revenue Service or FIRS) on receiving training on audits and suspicious transactions from Treasury's Office of Technical Assistance (OTA). OTA will follow-up their initial visit in December 2009 with a formal offer to FIRS on what type of assistance it would like to receive.

-- Implementing steps for retired DEA agent to work with the Nigerian National Drug Law Enforcement Agency (NDLEA) for six months. GON approved the position three months ago.

PROPOSED USG ANTI-CORRUPTION INITIATIVES

13. (SBU) As part of our overall BNC game plan, Mission Nigeria proposes to move forward with additional anti-corruption initiatives.

Broadening the scope of this GTI-focus group would allow promotion of additional law enforcement activities under its auspices, including bolstering of recent naming and shaming efforts by the Central Bank of Nigeria (CBN), police and customs training, and capacity building for the Securities and Exchange Commission (SEC) and the National Agency for Food and Drug Enforcement (NAFDEC) for the protection of Intellectual Property Rights and drug integrity,

and reducing counterfeiting. Contingent on availability of funding, examples of additional activities could include:

- Providing inter-agency training to CBN, EFCC, IPCC, and the Code of Conduct Bureau on investigating and managing corruption cases;
- Working with the Coordinator for Counter-Terrorism (S/CT), FBI, Federal Law Enforcement Training Center (FLETC), and the International Criminal Investigative Training and Assistance Program (ICITAP) to provide Anti-Terrorism Assistance (ATA) training early in 2010;
- Building on OTA program to assist the Nigerian tax authorities with investigations training and enforcement technical assistance. Yet another area of potential assistance is collecting taxes from the independent joint ventures that would be created by the proposed Petroleum Industry Bill.
- Sponsoring additional candidates for the Law Enforcement Executive Development (LEED) program at the International Law Enforcement Academy (ILEA). A special session could be offered in Nigeria or within West Africa.
- Sending select Nigerian law enforcement officers to anti-corruption and financial crimes training programs at the FBI Quantico Academy or INL's International Law Enforcement Academies.
- Providing state civil service bodies, finance ministries, and internal revenue services with training in payroll fraud detection and tax fraud investigation. Edo state asked for help in all three entities; Bayelsa specifically asked for help with help in countering pay-roll fraud.
- Promoting approval of a Freedom of Information Act statute to help the public gain better access to government documents as a way of promoting greater transparency;
- Establishing a sensitive investigative (vetted) unit within the National Drug Law Enforcement Agency (NDLEA) to assist with sharing of sensitive information.
- Assessing training capacity of Nigerian police academies to train officers on modern policing techniques and decrease corruption by police officers.
- Working with CBN to establish a new office on anti-money laundering and counter-terrorist financing.
- Establishing a new banking manual for training CBN examiners to work with NFIU.
- Conducting assessments of operations by Customs to prevent fraud and the entry of counterfeit goods at ports and detect collusion between law enforcement officials and smugglers.
- Providing a counter-narcotics advisor to deal with internal affairs issues and detect corruption among NDLEA officers.
- Providing a legal advisor to help the GON revamp aspects of Nigeria's legal framework by working with the National Assembly to pass the pending civil forfeiture bill.

14. (SBU) If there is a policy decision to provide training to entry- and mid-level permanent EFCC permanent employees, we could:

- Provide training to develop institutional knowledge and capabilities on investigations and prosecutions.
- Build capacity of NFIU staff to generate quality data on suspicious transactions.
- Arrange for an FBI advisor to assist the EFCC with investigations and prosecutions of corrupt, former governors.
- Sponsor a Regional Legal Advisor to serve the dual function of building capacity of EFCC prosecutors and of training judges in management of complex financial crimes cases and implementing civil forfeiture legislation.

¶5. (SBU) Mission Country Team Members will continue to coordinate closely on identifying and pursuing different types of anti-corruption assistance that the USG could provide in support of the BNC's anti-corruption elements.

¶6. (U) Embassy coordinated this telegram with ConGen Lagos.